

REMARKS/ARGUMENTS

This Amendment is in response to the Office Action mailed November 19, 2003. In the Office Action, claims 17-18, 20-22, 24-26, 28-39, 37, 44-45, 48-52, 55-59, 61-69 and 71-73 were rejected under 35 U.S.C. §102(b) as being anticipated by Perlman (U.S. Patent No. 5,309,437). In addition, claims 19, 38, 46-47, 53-54, 60, 70 and 74 were rejected under 35 U.S.C. §103(a) as being unpatentable over Perlman in view of Ross (U.S. Patent No. 5,394,402), claim 23 was rejected under 35 U.S.C. §103(a) as being unpatentable over Perlman in view of Civanlar (U.S. Patent No. 5,805,805) and claims 24-26, 28-29, 37-38 and 44-74 were rejected under 35 U.S.C. §103(a) as being unpatentable over Perlman in view of Ross and Civanlar.

Applicants respectfully traverse these rejections in their entirety. Claim 17 has been cancelled and claim 18 has been placed into independent form to include limitations of claim 17. Moreover, claim 22 has been amended to depend on claim 18. Claims 24, 28, 37, 52, 64, 67 and 71 have been amended to include a limitation regarding the direct coupling of the switch to the router. Claim 59 has been amended to include the limitation that the switch is adapted to at least three networks. Acceptance of the amendments is respectfully requested.

A. § 102(B) REJECTION

Claims 17-18, 20-22, 24-26, 28-39, 37, 44-45, 48-52, 55-59, 61-69 and 71-73 were rejected under 35 U.S.C. §102(b) as being anticipated by Perlman. Applicants respectfully disagree and submit that the Examiner has not presented a *prima facie* case of anticipation. As the Examiner is aware, in order to anticipate a claim under §102(b), Perlman must teach every element of the claim. "A claim is anticipated *only if each and every element as set forth in the claim is found, either expressly or inherently described*, in a single prior art reference." *Verdegaal Bros. v. Union Oil Co. of California*, 814 F2d 628, 631, 2 USPQ2d 1051, 1053 (Fed. Cir. 1987) (Emphasis added). Applicants respectfully submit that Perlman does not teach each and every limitation set forth in the claims.

For instance, as an example, with respect to claims 18 and 24, these claims feature a limitation of at least one port of the switch being directly coupled to the router. Such coupling is not taught or even suggested by Perlman, which teaches the coupling of the bridge-like IP router (BLIP) between extended LAN segments, not a router. *See Fig. 1 of Perlman*.

With respect to claim 28, Perlman does not teach or even suggest a switch having a plurality of ports supporting communication to the destination device, the source device *and the router*. Emphasis added. The switch does not provide any ports for the router itself. Moreover, the preamble of claim 37 identifies the switch as being *interposed between a router and the first and second networks*, which is a networking architecture not supported by Perlman. Instead, the BLIP of Perlman is exclusively connected between LAN extension segments.

With respect to claims 52, 64, 67 and 71, these claims include a limitation that the switch is directly coupled between a router, which is not taught or even suggested by Perlman. Likewise, claim 59 includes a limitation that the switch is adapted for establishing

communications between at least *three* networks, unlike the BLIP which teaches coupled between two extended LAN segments as shown in Figure 2 of Perlman.

In light of the foregoing, Applicants respectfully request the Examiner to withdraw the §102(b) rejection.

B. § 103(A) REJECTION

Claims 19, 38, 46-47, 53-54, 60, 70 and 74 were rejected under 35 U.S.C. §103(a) as being unpatentable over Perlman in view of Ross. Moreover, claim 23 was rejected under 35 U.S.C. §103(a) as being unpatentable over Perlman in view of Civanlar and claims 24-26, 28-29, 37-38 and 44-74 were rejected under 35 U.S.C. §103(a) as being unpatentable over Perlman in view of Ross and Civanlar. Applicants respectfully disagree with these rejections and respectfully incorporate the above arguments by reference and request reconsideration of the allowability of these claims.

In light of the foregoing, Applicants respectfully request withdrawal of the §103(a) rejection.

Conclusion

Applicants respectfully request that a timely Notice of Allowance be issued in this case.

Respectfully submitted,

BLAKELY, SOKOLOFF, TAYLOR & ZAFMAN LLP

Dated: 05/19/2004

By


William W. Schaal

Reg. No. Reg. No. 39,018

Tel.: (714) 557-3800 (Pacific Coast)

12400 Wilshire Boulevard, Seventh Floor
Los Angeles, California 90025

CERTIFICATE OF MAILING/TRANSMISSION (37 CFR 1.8A)

I hereby certify that this correspondence is, on the date shown below, being:

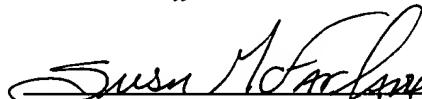
MAILING

☒ deposited with the United States Postal Service
as first class mail in an envelope addressed to:
Commissioner for Patents, PO Box 1450,
Alexandria, VA 22313-1450.

Date: 05/19/2004

FACSIMILE

☐ transmitted by facsimile to the Patent and
Trademark Office.


Susan McFarlane

05/19/2004

Date